

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3588

To amend the Child Abuse Prevention and Treatment Act to require a State, in order to be eligible for a grant for child abuse and neglect prevention and treatment programs, to have in effect a State law providing for the prosecution of a person who makes a report of child abuse or neglect without having a reasonable belief that the report is true, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 1993

Mr. GOODLING introduced the following bill; which was referred to the  
Committee on Education and Labor

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## A BILL

To amend the Child Abuse Prevention and Treatment Act to require a State, in order to be eligible for a grant for child abuse and neglect prevention and treatment programs, to have in effect a State law providing for the prosecution of a person who makes a report of child abuse or neglect without having a reasonable belief that the report is true, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Child Abuse and  
5       Neglect Accountability Act of 1993”.

1 **SEC. 2. ADDITIONAL STATE ELIGIBILITY REQUIREMENTS**  
2 **FOR GRANTS FOR CHILD ABUSE AND NE-**  
3 **GLECT PREVENTION AND TREATMENT PRO-**  
4 **GRAMS UNDER CHILD ABUSE PREVENTION**  
5 **AND TREATMENT ACT.**

6 (a) IN GENERAL.—Paragraph (1) of section 107(b)  
7 of the Child Abuse Prevention and Treatment Act (42  
8 U.S.C. 5106a(b)(1)) is amended—

9 (1) in subparagraph (A), by striking “; and”  
10 and inserting a semicolon;

11 (2) in subparagraph (B), to read as follows:

12 “(B)(i) provisions making it a criminal of-  
13 fense under State or local laws for a person to  
14 make a report of child abuse or neglect without  
15 having a reasonable belief that such report is  
16 true;

17 “(ii) provisions increasing the penalties of  
18 the criminal offense described in clause (i) if a  
19 person commits such offense with the intent to  
20 expose another person to public hatred, con-  
21 tempt, ridicule, criminal investigation, or to  
22 gain advantage in a civil proceeding; and

23 “(iii) provisions for immunity from pros-  
24 ecution under State and local laws for a person  
25 who reports instances of child abuse or neglect,  
26 other than those instances described in clause

1 (i) or (ii), for circumstances arising from such  
2 reporting; and”; and

3 (3) by adding at the end the following new sub-  
4 paragraph:

5 “(C)(i) provisions making it a criminal of-  
6 fense under State or local laws for a person to  
7 intentionally cause or persuade a child to make  
8 an allegation of child abuse or neglect without  
9 having a reasonable belief that such allegation  
10 is true; and

11 “(ii) provisions increasing the penalties for  
12 the criminal offense described in clause (i) if a  
13 person commits such offense with the intent to  
14 expose another person to public hatred, con-  
15 tempt, ridicule, criminal investigation, or to  
16 gain advantage in a civil proceeding;”.

17 (b) EFFECTIVE DATE.—The amendments made by  
18 subsection (a) shall apply with respect to grants made on  
19 or after the date of the enactment of this Act.

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